

Message Text

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61

ORIGIN COME-00

INFO OCT-01 NEA-10 IO-10 ISO-00 AGR-10 CEA-01 CIAE-00

DODE-00 EB-07 FRB-01 H-02 INR-07 INT-05 L-03 LAB-04

NSAE-00 NSC-05 PA-02 AID-05 CIEP-02 SS-15 STR-04

TAR-01 TRSE-00 USIA-15 PRS-01 SP-02 OMB-01 FEA-01

/115 R

DRAFTED BY COM:IEPR:OTP:TNAD:ARYDER

APPROVED BY EB/OT/STA:BBISHOP

COM:IEPR:OTP:TNAD:FLMONTGOMERY

COM:IEPR:OTP:TNAD:WKKRIST

COM:IEPR:OTP:DND:JJOHNSTON

STR:WKELLY

STATE:NEA:INS:RMORLEY

STATE:EB:OT:STA:BBISHOP

TREAS:MFELDMAN LABOR:FLAVALLEE

AGRIC:SGERSHBEN

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R 021815Z JAN 76

FM SECSTATE WASHDC

TO AMEMBASSY NEW DELHI

INFO USDEL MTN GENEVA

UNCLAS STATE 000752

PASS CODEL

E.O. 11652: N/A

TAGS: ETRD,IN

SUBJECT: MULTILATERAL TRADE NEGOTIATIONS - MARK OF ORIGIN
REQUIREMENTS

1. MANY COUNTRIES REQUIRE IMPORTED PRODUCTS TO BE MARKED TO
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SHOW COUNTRY OF ORIGIN. REQUIREMENTS VARY FROM COUNTRY TO

COUNTRY, AS WELL AS FROM PRODUCT TO PRODUCT FOR PARTICULAR COUNTRY. MOST INDUSTRIALIZED NATIONS AND MANY DEVELOPING NATIONS HAVE LISTS OF SPECIFIC COMMODITIES WHICH MUST BE MARKED TO SHOW COUNTRY OF ORIGIN, OR SPECIFY PARTICULAR CONDITIONS UNDER WHICH ORIGIN MUST BE INDICATED. JANUARY MEETING OF NONTARIFF MEASURES SUBGROUP ON TECHNICAL BARRIERS TO TRADE WILL CONSIDER MARK OF ORIGIN REQUIREMENTS. IN PREPARATION FOR THIS MEETING, UPDATE OF INFORMATION ON NATIONAL MARKS OF ORIGIN REQUIREMENTS NEEDED.

2. PRESENT INFORMATION INDICATES THAT INDIA HAS GENERAL REQUIREMENT THAT IMPORTS BE MARKED AS TO COUNTRY OF ORIGIN AS PROVIDED BY TRADE AND MERCHANDISE MARKS ACT OF 1958. ACT REQUIRES THAT ALL GOODS AT TIME OF ENTRY SHALL BEAR INDICATION OF COUNTRY OR PLACE IN WHICH GOODS WERE MADE OR PRODUCED OR OF NAME AND ADDRESS OF MANUFACTURER. WHERE SUCH GOODS ARE MANUFACTURED BY ONE PERSON FOR ANOTHER NEITHER OF WHOM ARE WITHIN INDIA, EITHER INDICATION AS SPECIFIED ABOVE OR OF NAME AND ADDRESS OF PERSON FOR WHOM GOODS WERE MANUFACTURED.

3. WHEN GOODS ARE MADE OR PRODUCED IN ONE COUNTRY AND ARE CONTAINED IN PACKAGES MADE OR PRODUCED IN ANOTHER, INDICATION SHALL SPECIFY BOTH COUNTRIES. IF GOODS PARTLY OR WHOLLY MADE OR PRODUCED IN ONE COUNTRY AND PARTLY MADE OR PRODUCED, FINISHED, PROCESSED, EMBELLISHED OR COMPLETED IN ANOTHER COUNTRY OR COUNTRIES, OR WHERE GOODS ARE MADE OF INDISTINGUISHABLE PARTS OR CONSTITUENTS MADE IN TWO OR MORE DIFFERENT FOREIGN COUNTRIES, INDICATION OF ORIGIN MAY BE EXPRESSED AS "MANUFACTURE OF DIFFERENT COUNTRIES OUTSIDE INDIA", "PRODUCE OF DIFFERENT COUNTRIES OUTSIDE INDIA", "MADE ABROAD", OR "FOREIGN MADE". WHERE NAME OF PLACE IN INDICATION OF ORIGIN IS IDENTICAL WITH, OR DECEPTIVELY SIMILAR TO, NAME OF PLACE IN INDIA, OR IF NAME OF PLACE EXISTS IN MORE THAN ONE COUNTRY, SUCH NAME TO BE ACCOMPANIED IN EQUALLY LARGE AND CONSPICUOUS LETTERS BY NAME OF COUNTRY INWHICH PLACE IS SITUATED EXPRESSED IN ENGLISH LANGUAGE.

4. INDICATION OF COUNTRY OR PLACE OR NAME AND ADDRESS
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SHOULD BE SHOWN IN LARGE AND CONSPICUOUS LETTERS. MINIMUM SIZE LETTERING SHOULD NOT BE LESS THAN TWO MILLIMETERS IN HEIGHT OR LESS THAN ONE-FOURTH OF SIZE OF LARGEST LETTER APPEARING IN NAME, OWRD, OR TRADE DESCRIPTION APPLIED TO GOODS, WHICHEVER IS LARGER.

5. IN ADDITION, CERTAIN COMMODITIES REQUIRE SPECIFIC SIZES OF LETTERING; 1) FOR DRUGS, MEDICINES, PHARMACEUTICAL PRO-

DUCTS, COSMETICS AND TOILET PREPARATIONS, INDICATION OF ORIGIN TO BE NOT LESS THAN TWO MILLIMETERS IN HEIGHT OR LESS THAN LARGEST LETTER USED IN DISPLAY OF MARK OF MANUFACTURER APPEARING ANY PLACE ON LABEL, WHICHEVER IS SMALLER; 2) FOR CIGARETTES, NOT LESS THAN TWO MILLIMETERS IN HEIGHT; 3) FOR CHEMICALS PACKED IN DRUMS AND OTHER CONTAINERS: A) OF SIZE UP TO TWO LITERS, NOT LESS THAN TWO MILLIMETERS IN HEIGHT; B) FROM TWO LITERS TO EIGHT LITERS NOT LESS THAN FOUR MILLIMETERS; C) FROM EIGHT LITERS TO FIFTY LITERS, NOT LESS THAN TEN MILLIMETERS; D) ABOVE FIFTY LITERS, NOT LESS THAN TWENTY MILLIMETERS; 4) FOR WOOD AND TIMBER IN LOGS OR PIECES, PLANKS OR SCANTLINGS, NOT LESS THAN TWENTY MILLIMETERS IN HEIGHT.

6. IF ANY NAME, WORD OR TRADE DESCRIPTION APPLIED TO GOODS OR PACKAGES IS IN LANGUAGE OTHER THAN AN INDIAN LANGUAGE, INDICATION OF ORIGIN SHOULD BE IN ENGLISH. MARK OF ORIGIN SHOULD BE ON SAME LABEL OR PART OF COVERING OR GOODS TO WHICH NAME, WORD OR TRADE DESCRIPTION IS APPLIED. WHERE NAME APPEARS IN MORE THAN ONE PLACE ON LABEL, INDICATION SHOULD BE MADE IN AT LEAST TWO PLACES.

7. FOLLOWING CLASSES OF GOODS MUST BE MARKED WITH COUNTRY OF ORIGIN ON THE GOODS THEMSELVES: APPARATUSES AND APPLIANCES, OF ALL TYPES, ASSEMBLED; GLASS BULBS AND GLOBES, INCLUDING ELECTRIC INCANDESCENT BULBS; ELECTRIC CELLS AND BATTERIES OF EVERY KIND, INCLUDING PRIMARY BATTERIES FOR DRY CELLS, FLASH LAMPS OF TORCH TYPE, MOTOR CAR BATTERIES; LANTERNS AND LAMPS OF EVERY KIND, INCLUDING ELECTRIC TORCHES FLASHLIGHTS AND AUTOMOBILE LAMPS; MACHINERY OF EVERY KIND, ASSEMBLED; TILES OF EVERY KIND; WOOD AND TIMBER IN LOGS; IRON INGOTS; PIECE GOODS OF COTTON, SILK, ARTIFICIAL SILK, STAPLE FIBER YARN AND WOOL, INCLUDING MIXTURE PIECE GOODS; FOUNTAIN PEN BARRELS.

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8. FOLLOWING CLASSES OF GOODS MUST BE MARKED WITH COUNTRY OF ORIGIN ON CONTAINERS OR COVERINGS OR IN ANY OTHER PRACTICABLE MANNER: PARTS, SPARE PARTS AND ACCESSORIES OF MACHINERY AND APPARATUSES AND APPLIANCES OF ALL KINDS; ELECTRICAL WIRING ACCESSORIES; BALL AND ROLLER BEARINGS; STATIONERY GOODS OF ALL KINDS; TOILET PREPARATIONS OF EVERY KIND, INCLUDING SOAPS AND COSMETICS; MANUFACTURES OF WOOD; WOOD AND TIMBER IN PIECES, PLANKS OR SCANTLINGS; YARNS OF COTTON, SILK, ARTIFICIAL SILK, STAPLE FIBERS AND WOOL, INCLUDING YARN SPUN OF MIXTURE WITH ONE OR MORE KINDS OF TEXTILE FIBERS, AS WELL AS YARN CONSISTING OF STRANDS OF DIFFERENT KINDS OF YARN COMBINED BY PROCESS OF DOUBLING OR TWISTING; PLATES FOR MOTOR VEHICLE BATTERIES; CIGARETTES; CHEMICALS (INCLUDING DYES AND DYESTUFFS, DRUGS, MEDICINES,

AND PHARMACEUTICAL PRODUCTS OF EVERY KIND); FENTS; SEWING MACHINES; SAFETY FUSES. SPIRITS, WINE AND LIQUORS MUST BE MARKED ON LABELS OF BOTTLES AS WELL AS PACKAGES.

9. ACTION REQUESTED: POST REQUESTED TO VERIFY AND UPDATE ABOVE INFORMATION. DESCRIBE IN DETAIL ANY ADDITIONAL SPECIFIC MARKING REQUIREMENTS INCLUDING POSITION AND LOCATION OF MARK, ITS SIZE AND COLOR, LANGUAGE TO BE USED, AND METHOD OF MARKING, ETC. PLEASE CITE RELEVANT LEGISLATION AND/OR REGULATIONS. INCLUDED WITH REPLY, IF POSSIBLE, COPY OF RELEVANT LAWS AND REGULATIONS.

10. REPLY REQUESTED AS SOON AS POSSIBLE OR IN ANY EVENT BY JANUARY 12. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: IMPORT CONTROLS, MARKS OF ORIGIN
Control Number: n/a
Copy: SINGLE
Draft Date: 02 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE000752
Document Source: CORE
Document Unique ID: 00
Drafter: IEPR:OTP:TNAD:ARYDER
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760001-0867
From: STATE
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1976/newtext/t19760189/aaaadbmn.tel
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Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Review Exemptions: n/a
Review History: RELEASED <11 FEB 2004 by harleykd>; APPROVED <12 AUG 2004 by castelsl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
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EO Systematic Review
04 MAY 2006

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Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
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Status: NATIVE
Subject: MULTILATERAL TRADE NEGOTIATIONS - MARK OF ORIGIN REQUIREMENTS
TAGS: ETRD, IN, MTN
To: NEW DELHI
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006